The significance of the 73rd Constitutional Amendment Act of 1992 is that it not only institutionalized the Panchayati Raj System, but also initiated India’s largest exercise in democratic decentralization. It unleashed the power of the grassroots to give representation to hitherto voiceless and disadvantaged sections. More than 3 million who are elected include a significant proportion of women, SCs, STs and other marginalized communities.

The Institute of Social Sciences organized a national conference to commemorate the 20th anniversary of this ‘historic’ constitutional enactment on 22 December 2012 at the Constitution Club of India, Rafi Marg, New Delhi. It was sponsored by the Ministry of Rural Development,

This gathering witnessed a spirited interaction among around 1500 elected representatives, academicians, politicians, Union government officials, students, and representatives of governmental and non-governmental organizations from across the country. The participants represented a microcosm of the political, cultural, religious, and social diversity of India and was symbolic of the ‘silent revolution’ which is underway in many villages across the country.

The diversity of participants was complemented by the quality of discussion and interactions among the participants individually and in groups. Moreover, the fact that representatives from places as far as Goa, Kerala, Andhra Pradesh, Karnataka, Sikkim and elsewhere participated in the event, bearing the unwelcoming weather of Delhi, holds testimony to their commitment and dedication as well as the potential of this institution of local self governance.

Several dignitaries graced the occasion and spoke eloquently on the theme.

The proceedings began with the resounding voice of Jawaharlal Nehru from his speech at Nagaur, which he delivered while inaugurating the first “New Panchayat” in Independent India in 1959. Dr. Ash Narain Roy, Director of the Institute of Social Sciences, in his poetic welcome address, in addition to welcoming the dignitaries and delegates, introduced the objectives behind holding the conference. Like any commemoration, the event sought to remind the nation of the 73rd Amendment Act, which was nothing short of a ‘second republic’. However, the true implementation of the Act would follow only with the release of adequate funds, functions, and functionaries.

Speaking on this occasion, Shri Jairam Ramesh, Hon’ble Union Minister for Rural Development, commented on the indispensability of Panchayat Raj Institutions in delivering developmental services, including drinking water and sanitation to rural India. He expressed his confidence in the elected representatives and confirmed his support in the years to come.

Shri Mani Shankar Aiyar, Member of Parliament and former Union Minister for Panchayati Raj, delivered the keynote address. He emphasised on the need to clearly define the role and responsibilities among the Panchayati Raj Institutions so that accountability could be fixed. Shri Aiyar also underlined the greater role of Gram Sabha in eradicating corruption and the unholy Sarpanch-official nexus.

Ms. Lise Grande, UN Resident Coordinator and UNDP Resident Representative, reiterated her confidence in the 73rd Amendment Act and India’s progressive efforts at decentralisation.
“India would continue to remain a model for other developing nations to emulate, and in this respect, would only be honoured to become a messenger to take the suggestions of the Panchayat elected representatives to New York and the UN,” she said.

Mr. Louis-Georges Arsenault, Representative, UNICEF, India said on this occasion that given the fact that India has the largest malnourished population of children, persistent inequality, high prevalence of infant and child mortality, gender inequality, and high school drop out of girl students, “the criticality of Panchayats and Local Self-Governance is immense.”

Prof. Sukhadeo Thorat, Chairman, ICSSR, emphasized four aspects that would improve the existing legislation. Firstly, training and development of elected representatives; secondly, regulation and guidelines to protect women and Dalit representatives from discrimination of various sorts; thirdly, sensitisation of bureaucracy to enable local democracy; and fourthly, sensitisation of men against patriarchy, which is pulling down female representatives.

Smt. Devika Subba, Adhyaksha, West District Zilla Panchayat, Sikkim proposed the Vote of Thanks.

The plenary session that followed was on the theme, “Twenty Years of New Panchayati Raj.” It was chaired by Mr. Mohammad Shafi, Member of Parliament and Former Minister of Panchayati Raj, Jammu and Kashmir.

Dr. Thomas Isaac, former Finance Minister, Government of Kerala, lamented that poverty and underdevelopment kill the potential of the masses and expressed the need for social security and public distribution delivery systems. However, as a remedy, he refused to buy the Union Government’s Direct Cash transfer proposal.

Dr. Binayak Sen, the eminent social activist, emphasized the health care delivery system at the grassroots and the problem of land acquisition and land rights, which plagues the tribals and forest dwellers. He said that PRIs - once considered its greatest strength - has also been its major limitation, in the sense that this participation has really remained statutory, and has not seeped into the political process on the ground. There are major shortcomings in the devolution of the three Fs - funds, functionaries and functions - at the base. He also said that the Panchayati Raj (Extension to Scheduled Areas) Act spells out the sovereignty of the gram sabha in decision-making, including decisions on development choices.

Swami Agnivesh, a campaigner for social issues, apart from expressing his hopes for the Panchayati Raj system, exhorted the women in the hall to stand firm against not only the social evils in the society, but also to secure their rights and privileges. He put the onus on the people to utilise the structure of Panchayati Raj in order to achieve empowerment and emancipation.
Mr. Mohammad Ansari, ex-Sarpanch, Vaishali, Bihar, and Vice President, Association of Local Governance of India, explained how he promoted the cause of empowering women elected representatives, which would not only empower Panchayats but also individual families. He also noted that Panchayats are cornerstones of development, and that it is vital that they are further empowered. Smt. Sarita Singh, Pradhan, Dihawa, Gazipur, Uttar Pradesh, spoke about the importance of sanitation, health, and education in the villages and that the vigilance needed by Panchayat and Gram Sabha, especially women in proper implementation of the programs, is very decisive. “A woman educated is the family educated,” she said.
Four parallel sessions and a seminar on “Local Governance: Inclusion of Excluded Communities with special reference to Scheduled Castes and Scheduled Tribes” were held after lunch. The seminar was enriched by the participation and leadership of Prof. Nandu Ram, former professor of Sociology, JNU and Senior Fellow, ISS, Dr. Vivek Kumar, Associate Professor, Centre for the Study of Social Systems, JNU and Prof. R.D. Maurya, Babasahab Ambedkar National Institute of Social Sciences, Mhow, Indore. The themes for the parallel sessions were;

1. Panchayats and Future Development Goals
   Chair: Dr. Ash Narain Roy, Director, ISS

2. Violence against Elected Panchayat Members
   Chair: Prof. M. Aslam, Former Vice-Chancellor, IGNOU

3. Women and Panchayats
   Chair: Dr. Vimal Thorat, Chairperson, All India Dalit Mahila Adhikar Manch

4. MGNREGS and Panchayat Facilities
   Chair: Prof. Ranbir Singh, Former Dean, Social Sciences & Academic Affairs, Kurukshetra University

Special mention should be made of the UNDP-sponsored session on “Panchayats and Future Development Goals”. Ms. Radhika Kaul Batra, U.N. Coordination Advisor, represented the UNDP. The focus of the session was to obtain the views of the elected Panchayat representatives, which would be taken to international fora where they would contribute to the formation of future developmental goals.

Ms. Radhika Kaul Batra addressing the Parallel Session: "Panchayats and Future Development Goals". From L to R: Dr. Ash Narain Roy, Dr. Philip Oldenburg and Shri Sudhanshu Kumar
Prof. M. Aslam (3rd from left) addressing the Parallel Session: “Violence against Panchayat Representatives”.
From L to R: Ms. Aditi Bhaduri, Ms. S. Shyamala, Mr. Rabinarayan Mohapatra and Mr. Salman Anees Soz

Dr. Vimal Thorat addressing the Parallel Session: “Women in Panchayats”.
Also seen Dr. Bidyut Mohanty (L) and Dr. Nupur Tiwary
Prof. Ranbir Singh addressing the Parallel Session: “MGNREGS and Panchayat Facilities”.
Also seen from L to R: Prof. Kamal Nayan Kabra, Dr. Mahi Pal and Shri Bharat Dogra

Prof. Nandu Ram (C) addressing at the national seminar on “Local Governance: Inclusion of Excluded Communities with special reference to Scheduled Castes and Scheduled Tribes”.
Also seen from L to R: Prof. R.D. Maurya and Dr. Vivek Kumar
The Valedictory session that followed expressed unflinching faith in the Panchayats. Dr. Mohini Giri, Chairperson, Guild of Service, who chaired the Valedictory session, brought focus on the gang rape incident in Delhi and the rising violence against women in India. She gave a clarion call to the men in the hall to empower their women and to the women to unite and stand up for their rights.

Elaborating on the need for brotherhood and cooperation among the members of Panchayats and Gram Sabha, Mr. Dharambir, Chief Parliamentary Secretary to the Government of Haryana in charge of the Panchatai raj department in the state, in his Valedictory Address, stressed that apart from governmental measures, dispute settlement and conflict resolution must happen among the village dwellers themselves, so that the interest of the collective is held over and above individual petty issues.
Shri Mani Shankar Aiyar, who held formal and informal discussions with the participants, spoke in the valedictory session underlining the immense power of elected representatives their not simply because of sheer numerical strength in comparison to Assembly and Parliament members, but also because of the mandate given them and their proximity to the masses.

The statement made by Dr. George Mathew, Chairman, ISS at the celebrations, may be recalled here:

“With great struggle, Panchayats became part of the Constitution of India after the revolutionary legislation (73rd Amendment). What is the ground reality? Where do we go from here? We in the Institute thought that this is the best time for a reality check and to look ahead. This celebration of the 20th year for us was just an idea. But we got enormous support from Shri Mani Shankar Aiyar, Shri Jairam Ramesh, Ministry of Rural Development, UNDP, the UNICEF, ICSSR several state governments, associations and panchayat representatives from all over the country. This gathering here is the outcome of the prevailing enthusiasm for implementing the 73rd Constitution Amendment. This is a solidarity meeting. The freedom fighters and the enlightened people-oriented leaders of post-independent India had a dream to make villages of India little republics - institutions of self government and to give power to the people. Let us bring local governments to the centre stage. Let us implement the 73rd and 74th Constitution Amendments in letter and spirit.”

Several eminent scholars, activists, politicians, and representatives of various organisations took part and contributed significantly to the event. They include; Ms. Alexandra Solovieva, Deputy Country Director (P), UNDP; Ms. Sumeeta Banerji, Assistant Country Director, Democratic Governance, UNDP; Mr. Joaquin Gonzalez-Aleman, UNICEF; Dr. Philip Oldenburg, Research Scholar, South Asia Institute, Columbia University, New York and Senior Fellow, ISS; Shri Sudhanshu Kumar, Mukhiya, Naya Nagr, Samastipur, Bihar; Dr. Bidyut Mohanty, Head, Women’s Studies, ISS; Dr. Santosh Singh, Senior Research Officer, ISS; Dr. Nupur Tiwary, Faculty, Indian Institute of Public Administration, New Delhi; Prof. Kamal Nayan Kabra, Malcolm Adiseshiah Chair Professor, ISS; Dr. Mahi Pal, Director, Ministry of Rural Development; Shri Bharat Dogra, Social Activist and Senior Journalist, Shri Rabinrayan Mohapatra, Member of Parliament (Odissa); Raghuvar Rai, Upadhyaksh, Zilla Parishad, Samastipur; Mr. Salman Anees Soz, Social Activist, Srinagar; Shri A.V. Swamy, Member of Parliament, Odisha; Adv. Pradapan, Vice President, Kerala Panchayat Association; Shri Narayana Swamy, Former Member of Parliament, (Karanataka); Mr. Amit Goyal, Chief Coordinator, Rajiv Gandhi Panchayati Raj Sangathan and Shri R.K Tripathi, General Secretary, All India Zilla Panchayat Association. The pearls of wisdom and knowledge that they imparted to the participants were immense and invaluable.

Shri Ranjeet Nirguni, member, Zila Parishad, Sarairanjan, Samastipur, Bihar, who was also a co-ordinator of the event, presented the following Charter of Demands which was unanimously accepted.
Charter of Demands

We the members of the Panchayat Raj institutions and Municipalities present at this national meet to celebrate the 20th anniversary of the Lok Sabha passing the 73rd Amendment Bill, place before the Government of India and State Governments the following Charter of Demands:

1. All the 29 subjects along with funds and functionaries must be transferred to the Panchayati Raj institutions (PRIs); similar transfer of 18 subjects should be made for the Municipalities. For demarcating powers distributed between different tiers of PRIs the State Governments should take necessary administrative steps including “activity mapping”.

2. District Rural Development Agency (DRDA), should be merged with Zilla Parishad. There is a provision for full time Chief Executive Officer for the Zilla Parishad/Panchayat, but today this is not taken seriously in many states. Therefore, we demand that each Zilla Parishay should have a full time Chief Executive Officer.

3. A separate Panchayat cadre must be created to work under the democratically elected Panchayats. The Gram Panchayats in particular suffer from chronic shortage of staff including having to share the Secretary. The Revenue Secretary should be brought under the control of Gram Panchayat. As far as possible, the Panchayat cadre should comprise of local people from the concerned areas.

4. There is a lot of bureaucratic interference in the PRIs’ functioning. The bureaucrats normally display an attitude of negligence and disregard towards the elected officials of Panchayati Raj. It is not only the political will but bureaucratic will which is equally essential for attaining the goal of an effective three-tier Panchayati Raj system and its functional autonomy. There is a need for orientation of the bureaucrats to this effect. The Union Government and State Governments should introduce special training this regard for their fresh recruits.

5. An elected representative of a Panchayat has to work full-time. We urge the State Governments that, instead of giving allowances and honoraria to the elected members of Panchayats, they should make an amendment to the State Panchayat Acts ensuring salaries and pensions to the Elected Representatives at all the three levels commensurate with their responsibilities as is the case with MLAs and MPs.

6. The Gram Kachharis must be equipped with adequate infrastructure and functionaries for proper functioning.

7. We demand that steps be taken to allocate at least 30 per cent of plan funds to the local governments as ‘untied’. All the Centrally Sponsored Schemes and State development programmes must be brought under the Ministry of Panchayati Raj and State Departments of Panchayats for their implementation.

8. The Gram Sabha should be given the authority with regard to the approval of development projects, beneficiary selection and social audit. The findings of social audit should be acted upon. As of now, the Gram Sabha is only a recommendatory body. Its decisions are not binding. It is recommended that the Gram Sabha should have the authority to take decisions on all matters coming within its purview. Regular, mandatory Gram Sabhas will bring direct democracy to the forefront.

9. District Planning Committees must be empowered and strengthened to take autonomous decisions. For this purpose resource mapping, databases and a shelf of actionable and prioritized projects and schemes consistent with local needs and resources should be prepared and handed over to the Panchayats as inputs for planning.

10. In order to solve the serious problem of poor infrastructure of Panchayats, adequate infrastructure including own building and IT infrastructure should be made available to all the village Panchayats enabling them to become E-Panchayats.
11. There must be a twenty-four hour helpline at the block level to assist the Elected Representatives.

12. An expert committee must be constituted at District and Block Levels to assist and guide the Zilla, Block and Gram Panchayat members.

13. Recommendations of State Finance Commissions (SFCs) should be implemented in a time-bound manner. So far, the Finance Commission Report is not made available to the Panchayats. This is a totally undemocratic style of functioning. We demand that henceforth the reports of the State Finance Commissions should be discussed and debated extensively, particularly in the Gram Sabhas. The SFC recommendations must be made public and implemented at the earliest.

14. Right to collect professional tax, entertainment tax and toll tax should be devolved to village Panchayats and Municipalities. The ownership of the natural and other possible resources must lie with the Panchayats. The revenue thus collected should go to the local government.

15. In recent years violence against the elected representatives of Panchayats has increased considerably. This is a matter of grave concern and needs to be addressed through appropriate legislations.

16. We urge all the State Governments to provide 50% reservation for women candidates at all the levels.

17. Establishment of the institution of Ombudsman to address grievances and check irregularities must be taken up immediately by the State Governments.

18. The present training system for Panchayat representatives is inadequate. Trainings are merely done in mechanical way without taking into account the cultural, local, linguistic and social factors. All arrangements must be made for imparting special training to the elected Panchayat members from Scheduled Castes and Scheduled Tribes enabling them to understand their rights and responsibilities. Any capacity building programme must also take into account the rich indigenous knowledge that these village level representatives possess irrespective of the fact that they are literate or illiterate. Inter-State exchange visits of elected representatives must become a regular feature of the capacity building exercise.

19. The Member of Parliament Local Area Development (MPLAD) Scheme and Member of Legislative Assembly Local Area Development (MLA LAD) Scheme, which violate Article 243 of the Constitution must be abolished and the respective funds should be allocated to provide financial support to resource poor institutions of local government.

20. There is an urgent need for the political parties to work in coordination with the Panchayats, which unfortunately is not happening. There must be an institutional fora wherein the MPs, MLAs and elected officials of PRIs meet and exchange their ideas and experience. This will ensure a link between the Gram Sabhas, Vidhan Sabhas and the Lok Sabha. Wider exposure of Panchayat representatives to State Legislative Assemblies and Parliament is a necessary condition for the local government representatives to meaningfully understand their roles and responsibilities.

21. An All-India Annual Conference of selected Panchayat representatives, like this historic meeting, must become institutionalized. This will lend a sense of institutional solidarity and enhance the motivation of elected local government representatives to articulate their problems to the public, the media and the national political leadership.”